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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/526,459	11/16/2005	Naoki Sawada	XA-10291	8167
181 7590 10/04/2007 MILES & STOCKBRIDGE PC 1751 PINNACLE DRIVE SUITE 500 MCLEAN, VA 22102-3833			EXAMINER JOHNSON, MATTHEW A	
			ART UNIT 3682	PAPER NUMBER
			NOTIFICATION DATE 10/04/2007	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ipdocketing@milestockbridge.com  
sstiles@milestockbridge.com

<b>Office Action Summary</b>	Application No. 10/526,459	Applicant(s) SAWADA ET AL.	
	Examiner Matthew Johnson	Art Unit 3682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 February 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/3/2005 &amp; 2/2/2007</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Specification*

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means", "**comprises**" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The disclosure is objected to because of the following informalities: page 25, lines 10-11, recites "a horizontal span S4 equal to or slightly larger than the span S4". It appears this should read --slightly larger than the span S3--

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by JP 10-7003.

JP 10-7003 discloses a position adjustable steering apparatus for a vehicle comprising:

- A vehicle body side bracket (6) having a vehicle body mount portion (Fig. 8) and paired left and right opposed flat plate portions (7) extending in the substantially vertical direction;
- A steering column (3), the steering column having an expanded portion (11)
- A steering shaft (2)
- A shaft (13) inserted through said pair of opposed flat plate portions and said expanded portion
- An adjustment mechanism (14),
- An operation lever (12)
- Said steering column having a portion (20) that is present in an area extending from said shaft up to at least said vehicle body mount portion

and has a width substantially equal to the width of a penetrated portion of said expanded portion at which said shaft is inserted through (See Figs. 1 and 15)

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 10-7003 in view of Kurita (USP-6,282,978).

Re clms 2 and 4: JP 10-7003 discloses a position adjustable steering apparatus for a vehicle comprising:

- A vehicle body side bracket (6) having a vehicle body mount portion (Fig. 8) to be mounted on a vehicle body and paired left and right opposed flat plate portions (7) extending in the substantially vertical direction;
- A steering column (3) for rotatably supporting a steering shaft (2), the steering column having a first expanded portion (11), formed by expanding a portion of a tubular material, that is to be in pressure contact with the pair of opposed flat plate portions of said vehicle body side bracket;

- A shaft (13) inserted through said pair of opposed flat plate portions and said expanded portion; and
- An adjustment mechanism (14) that acts on said shaft as an operation lever (12) is rotated, for adjusting the distance between said pair of opposed flat plate portions,
- Wherein said steering column has a second expanded portion (opposite side of 11) expanded from a substantially center portion thereof at said vehicle body mount portion side, and
- Wherein said steering column has a portion (20) that is present in an area extending from said shaft up to at least said vehicle body mount portion

While JP 10-7003 does indeed disclose first and second expanded portions (11), he does not disclose the steering column has a width larger than the width of a penetrated portion of said first expanded portion at which said shaft is inserted through and the width of said second expanded portion

Kurita teaches (Fig. 5; C5 L67-C6 L6) a steering column (2') that has a width (D) greater than the width of a penetrated portion (B) for the purpose of providing a tight coupling between the brackets and the steering column (C6 L33-52).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified the device disclosed in JP 10-7003, such that the steering column has a width larger than the width of a penetrated portion of the first expanded portion and the second expanded portion, as taught by Kurita, for the

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purpose of providing a tight coupling between the brackets and the steering column (C6 L33-52).

7. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over JP 10-7003.

JP 10-7003 discloses a position adjustable steering apparatus for a vehicle comprising:

- A vehicle body side bracket (6) having a vehicle body mount portion (Fig. 8) to be mounted on a vehicle body and paired left and right opposed flat plate portions (7) extending in the substantially vertical direction;
- A steering column (3) for rotatably supporting a steering shaft (2), the steering column having a first expanded portion (11), formed by expanding a portion of a tubular material, that is to be in pressure contact with the pair of opposed flat plate portions of said vehicle body side bracket;
- A shaft (13) inserted through said pair of opposed flat plate portions and said expanded portion; and
- An adjustment mechanism (14) that acts on said shaft as an operation lever (12) is rotated, for adjusting the distance between said pair of opposed flat plate portions,

- Wherein said steering column has a second expanded portion (opposite side of 11) expanded from a substantially center portion thereof at said vehicle body mount portion side, and
- Wherein said steering column has a portion (20) that is present in an area extending from said shaft up to at least said vehicle body mount portion

While JP 10-7003 does disclose a first and second expanded portion (11, Figs. 3-7) he does not disclose the steering column having a width substantially equal to the width of a penetrated portion of said first expanded portion at which said shaft is inserted through.

JP 10-7003 teaches in Figures 1 and 15 a steering column (3) having a width substantially equal to the width of a penetrated portion.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the steering column of JP 10-7003 to have a width substantially equal to the width of a penetrated portion and the width of said second expanded portion for the purpose of saving weight and space.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew Johnson whose telephone number is 571-272-7944. The examiner can normally be reached on Monday - Friday 8:30a.m. - 5:00p.m. EST.




If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Ridley can be reached on 571-272-6917. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MJ

MJ 9/27/2007



RICHARD RIDLEY  
SUPERVISORY PATENT EXAMINER